

LAW OFFICES OF
WALKUP, MELODIA, KELLY & SCHOENBERGER
A PROFESSIONAL CORPORATION

650 CALIFORNIA STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94108-2615
T: (415) 981-7210 • F: (415) 391-6965

MICHAEL A. KELLY (State Bar #71460)
mkelly@walkuplawoffice.com
RICHARD H. SCHOENBERGER (State Bar #122190)
rschoenberger@walkuplawoffice.com
MATTHEW D. DAVIS (State Bar #141986)
mdavis@walkuplawoffice.com
ASHCON MINOIEFAR (State Bar #347583)
aminoiefar@walkuplawoffice.com

SHANIN SPECTER (Pennsylvania State Bar No. 40928)
(Admitted Pro Hac Vice)

shain.specter@klinespecter.com

ALEX VAN DYKE (CA State Bar No. 340379)

alex.vandyke@klinespecter.com

KLINÉ & SPECTE

1525 Locust Street

Philadelphia, PA 19102

Telephone: (215) 772-1000

Facsimile: (215) 772-1359

ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JANE ROE, an individual; MARY ROE, an individual; SUSAN ROE, an individual; JOHN ROE, an individual; BARBARA ROE, an individual; PHOENIX HOTEL SF, LLC, a California limited liability company; FUNKY FUN, LLC, a California limited liability company; and 2930 EL CAMINO, LLC, a California limited liability company,

Plaintiffs,

V.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity.

Defendants.

Case No. 4:24-cv-01562-AMO

DECLARATION OF MARY ROE (A PSEUDONYM)

**DECLARATION WITH TRUE NAME
OF DECLARANT TO BE FILED
UNDER SEAL**

**DECLARATION WITH TRUE NAME
OF DECLARANT REDACTED TO
BE PUBLICLY FILED**

Action Filed: 03/14/2024
Trial Date: Unassigned

1

2

I, [REDACTED], declare as follows:

3

4

5

6

1. I am a resident of the Tenderloin neighborhood in San Francisco and a plaintiff in the above captioned matter. I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein.

7

8

9

10

11

2. I am a native of San Francisco, a senior citizen and the mother of grown children. I work as a counselor. I have pulmonary and spinal conditions that make it difficult for me to walk. I live in the Tenderloin of San Francisco, in an apartment on Turk Street, between Jones and Leavenworth. My neighborhood has become disgusting and dangerous.

12

13

14

15

16

3. Crowds of drug dealers and users block the sidewalks around my apartment building. Encampments, stolen goods for sale, carts, disassembled bicycles, and other bulky items also obstruct passage. When I venture outside, I have no choice but to jaywalk, which is especially dangerous because my age and medical conditions make it difficult for me to avoid moving vehicles.

17

18

19

20

21

22

23

4. I see people inject and smoke narcotics on the sidewalks around my home. I must avoid people who scream and act erratically, or who are partially clothed or completely naked. I see people defecate in public. The sidewalks around my home are littered with garbage, human waste, and used drug paraphernalia. There have been so many overdoses that I often wonder whether a person lying prostrate on the sidewalk is dead rather than merely passed out. In sum, whenever I venture outside, I am always afraid and frequently mortified.

24

25

26

27

28

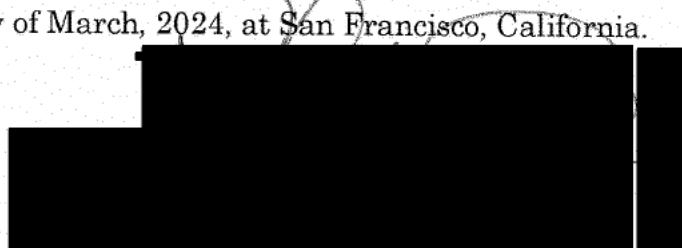
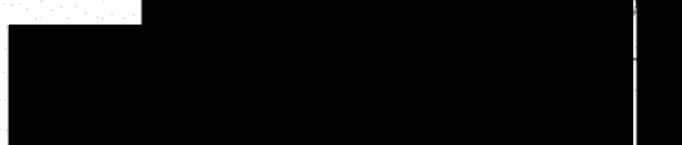
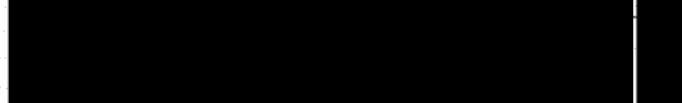
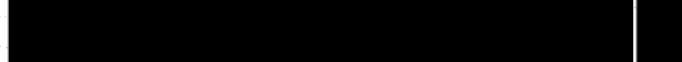
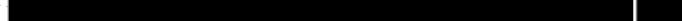
5. There is a storefront on my block, the 200 block of Turk Street, that is occupied by an organization. I have seen people affiliated with that organization hand out drug kits, e.g., packets with foil, tubes and smoking devices, on the sidewalk in front of the storefront. Crowds gather when these handouts occur. When the people affiliated with the organization finish distributing the kits, they retreat inside

1 the storefront, locking the doors behind them. Chaos then ensues. People ingest
2 drugs, become intoxicated and act erratically. I have observed other citizens try to
3 discourage people from ingesting narcotics on the sidewalk, only to have people
4 affiliated with the organization come out of the storefront and intercede, proclaiming
5 that people have the right to use drugs in public.

6 6. Around the corner from my apartment, on the 200 block of Leavenworth
7 Street, are three markets that stay open all night. People gather in front of these
8 markets, especially after dark. They completely block the sidewalk while selling,
9 buying and using drugs and hawking stolen items.

10 7. Because of all of the drug dealers and criminal activity in my
11 neighborhood, I am fearful of retaliation if my name is publicly disclosed. I hope that
12 my name could be kept confidential and only shared on an as needed basis. I feel that
13 the situation in the Tenderloin is an emergency and that something must be done. I
14 would probably move forward with my claims if the court ordered that my name be
15 disclosed. However, I very much prefer and would feel safer if my name was kept
16 confidential.

17 I declare under penalty of perjury under the laws of the State of California
18 that the foregoing is true and correct to the best of my knowledge.

19 Executed on this 21st day of March, 2024, at ~~San Francisco, California.~~
20 
21 
22 
23 
24 
25 
26 
27 
28 